

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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TRUSTEES OF THE EMPIRE STATE
CARPENTERS WELFARE, PENSION
ANNUITY, APPRENTICESHIP,
CHARITABLE TRUST, LABOR
MANAGEMENT COOPERATION, AND
SCHOLARSHIP FUNDS,

REFERRAL ORDER
11-cv-4742 (ADS)(GRB)

Plaintiff,

-against-

JCMI, INC.

Defendant.

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APPEARANCES:

Levy Ratner P.C.

Attorneys for the Plaintiff

80 Eighth Avenue

8th Floor

New York, NY 10011-5126

By: Owen M. Rumelt, Esq., of Counsel

NO APPEARANCE:

JCMI, Inc.

SPATT, District Judge.

The Plaintiff commenced this action on or about September 28, 2011, asserting claims for damages pursuant to Section 502 of the Employee Retirement Income Security Act of 1974 (“ERISA”), as amended, 29 U.S.C. § 1132, and Section 301 of the Labor Management Relations Act of 1948 (“LMRA”), 29 U.S.C. § 185. The Clerk of the Court having noted the default of the Defendant JCMI, Inc. on February 21, 2012 and the Plaintiff having moved for a default judgment against the Defendant on March 30, 2012, the Court hereby respectfully refers this matter to United States Magistrate Judge Gary R. Brown for a recommendation as to whether the

motion for a default judgment should be granted, and if so, whether damages should be awarded, including reasonable attorney's fees and costs. The Clerk of the Court is directed to note the referral of this matter.

SO ORDERED.

Dated: Central Islip, New York
April 3, 2012

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge